

# United States Bankruptcy Court

Eastern District of Louisiana  
501 Magazine Street, 6th Floor  
New Orleans, Louisiana 70130

Warren A. Cuntz, Jr.  
Clerk of Court

Telephone: 504-589-7878  
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## MEMORANDUM

To: All those using ECF in Eastern District of Louisiana

From: Warren Cuntz

Date: May 14, 2002

Re: Frequently Recurring Mistakes/Problems  
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Ladies and Gentlemen:

On behalf of the Court, I want to thank all of you for your cooperation and patience with the implementation of ECF. I realize it has been quite a change for all of you. However, you have come through with flying colors. Thanks.

In the several months that we have been using ECF, we have noticed several recurring mistakes. In an effort to make things easier on you, I will address the frequently recurring mistakes individually.

1. **Motions to Lift, Annul, Terminate Stay**

Some of you are selecting "Generic Motion" at the Document Selection Screen when filing a Motion to Lift Stay. This error causes tremendous difficulty for our Financial Section. Whenever you file a Motion to Lift Stay, please do not use "Generic Motion" from the pull down menu. Instead, use "01 Relief from Stay."

2. **Ex Parte Motions**

When filing an Ex Parte Motion, some of you are including the order as the last page of the motion **in addition to** e-mailing the order to the Judge. This causes a blank order (the one attached to the motion) to exist in the system. In order to avoid confusion, please do not attach an order to an Ex Parte Motion. Merely, submit the order to the Judge via e-mail.

3. **Orders**

Please keep in mind that all orders **must** be submitted in 8 ½ by 11 format, not 8 ½ by 14 format. Additionally, please make sure that you are sending the orders to the correct Judge. Also, please make sure that orders are submitted in Word or Wordperfect, not PDF.

4. **Service**

Please remember that service by first class mail is still required even on those parties that the system shows have been served electronically by the bankruptcy clerk's office. (See Bankruptcy Rule 9036).

5. **Scanning**

In an effort to maximize the benefits of and efficiency of ECF, it is imperative that scanned PDF file sizes be kept as small as possible. This can be accomplished by configuring your scanner to scan **all** documents as an image type of "Black and White" **not** "Color or Grayscale" and the resolution set to 200 to 300 dpi. These settings will assure a clear, small in size PDF file which will quickly upload to our system for filing and download to your system for quick viewing.

6. **New Petitions**

While the number of deficiencies has decreased some since ECF began, we are still seeing the failure to upload the mailing matrix, failure to add the tax collector in Chapter 7's, and failure to have a proper electronic signature. Please make it a point to comply with these requirements. Otherwise, a deficiency will be transmitted and you may be ruled into Court.

7. **Linkage**

Often there is no linkage or improper linkage to related documents (for example, objections with no linkage to related motions).

8. **Excessive Exhibits**

Please comply with Electronic Filing Procedures VII(A). That section states that exhibits or attachments are limited to 20 pages. For exhibits or attachments over 20 pages, only the relevant portions should be electronically imaged and filed using PDF. Upon request, the complete original document must be provided to other parties or the Court for review.

9. **Notice of Hearing**

Please remember when docketing a Notice of Hearing to **deselect** "Create Schedule record for current docket entry" and **select** the motion being noticed. Failure to do this results in duplicate hearing entries on the docket calendar. (See Attorney Manual under "Filing a Notice of Hearing.")

In an effort to assist in correcting docketing of the Notice of Hearing, the following message will appear in CM/ECF when docketing the Notice of Hearing:

On the previous screen, did you deselect Create Schedule record for the current docket entry and select the Motion or Other Document to be scheduled for hearing? If no, click Back to correct and click Next to continue. If yes, click Next.

10. **Proofs of Claims**

When filing a Proof of Claim, click "file claims" (under Bankruptcy event). Search for the creditor on whose behalf you are filing the Proof of Claim. If the creditor cannot be located, you need to file "Notice of Appearance & Request for Notice" (under misc. event). The next day, the Court will add your name/address to the data base. At this point, you can file your claim.

11. **Application to Pay Filing Fees in Installments**

Some of you are not e-mailing the order associated with an application to pay filing fees in installments to the Judge. These orders should be handled and submitted as ex parte orders. Additionally, some users are failing to file the application as a separate pleading from the petition. Please remember these are separate pleadings.

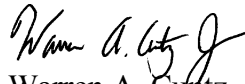
12. **Selection of Payment Method**

When selecting your method of payment, use "cc" if you have submitted a credit card application form and wish to charge the fee to your credit card. On the other hand, use "o" if you desire to pay by check, cash or money order or if you are submitting an ex parte order in an adversary, etc. for a Chapter 7 debtor against the Internal Revenue Service or where fees have been waived or deferred.

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I am sure future mailers and revisions to the procedures will be forthcoming. However, the above should help both you and the Court to correct the most frequent errors.

Again, thank you for all your cooperation in implementing ECF. I trust you like it as much as we do. Remember, we are here to help and serve you, so (and probably the most important thing contained in the memo) **please contact the clerk's office before submitting any documents if you are in need of assistance with filing.**

  
Warren A. Cuntz, Jr.